

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

WILLETTE D. COPES,
KERRY D. COPES
Debtors

: Case No. 21-22142-TPA
: Chapter 13

WILLETTE D. COPES,
KERRY D. COPES
Movants

:
:
:
v. : Related to Document Nos. 37, 38 & 49

PARTNERS FOR PAYMENT
RELIEF DE II, LLC C/O
FCI LENDER SERVICES, INC.
Respondent

:
:
:
: Hearing: April 6, 2022, at 10:30 A.M.

ORDER TO SHOW CAUSE

On January 18, 2022, a *Loss Mitigation Order* was entered by this Court, at Document No. 38, as a result of the *Motion for Loss Mitigation* filed by the Debtor at Document No. 37 (“Motion”). As required by the *Loss Mitigation Order*, the Parties were “directed to participate in the Court’s *Loss Mitigation Program (LMP)* as set forth in *W.PA.LBR 9020-1* through *9020-7*.⁴ See *W.PA.LBR 9020-1 et seq.* Specifically, Paragraph 5 of the *Loss Mitigation Order* required the Creditor/Respondent, Partners for Payment Relief DE II, LLC c/o FCI Lender Services, Inc. (“Respondent”), to:

(5) *Within fourteen (14) days of the debtor’s submission of the Core LMP Package*, the Creditor shall acknowledge receipt and designate a single point of contact for Debtor’s review, pursuant to *W.PA.LBR 9020-4(d)*.

On March 21, 2022, the Debtor filed a *Status Report*, at Document No. 49, claiming that the Respondent had not yet complied with the clear requirements of the January 18, 2022, *Order* and the Court’s LMP procedures by appointing and identifying a point of contact person.

AND NOW, this 28th day of *March 2022*, it is hereby **ORDERED, ADJUDGED** and **DECREED** that:

(1) An ***Order to Show Cause*** is issued against ***Partners for Payment Relief DE II, LLC c/o FCI Lender Services, Inc.***

(2) The following individuals shall ***personally*** appear at a hearing scheduled on *April 6, 2022*, at *10:30 A.M.* to be held by the ***Zoom Video Conference Application*** and show cause as to why sanctions should not be imposed on the Respondent pursuant to this Court's inherent authority arising from *11 U.S.C. §105(a)* and *W.P.A.LBR 9020-3(c)*:

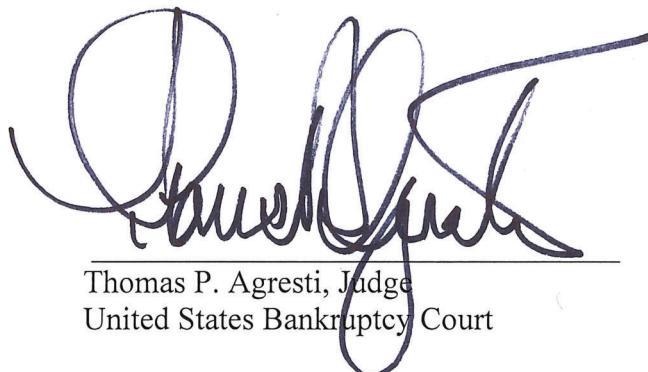
- (a) ***The “Loss Mitigation” representative of Partners for Payment Relief DE II, LLC c/o FCI Lender Services, Inc.*** with full knowledge of and complete authority to bind ***Respondent*** on the matters set forth in or related to the ***Motion*** (or other appropriate person with similar knowledge and binding authority),
- (b) ***Jennie Shnayder, Counsel for the Debtor,***
- (c) ***Michael W. Griffith, CEO, FCI Lender Services, Inc.,*** and
- (d) ***Anthony Edwards, Compliance Counsel, FCI Lender Services, Inc.***

(3) The sanctions that may be imposed include but are not limited to:

- (a) A monetary fine for failure to comply with this Court's January 18, 2022, ***Order*** as well as the ***Court's Local Rule W.P.A.LBR 9020-4(d)***;
- (b) Attorney fees for time spent by Counsel for the Debtor(s) in bringing this matter to the attention of the Court;
- (c) Escrowning all mortgage and escrow payments accruing on a going forward basis and other possible sanctions, monetary or otherwise, for the Respondent's failure to timely comply with this Court's Loss Mitigation Order, its Local Rules, and other orders of Court.

(4) To participate in and join a Zoom Hearing please initiate and use the following link at least 15 minutes prior to the scheduled Zoom Hearing time: <https://www.zoomgov.com/j/16021303488>, or alternatively, you may use the following: **Meeting ID: 160 2130 3488**. For questions regarding the connection, contact Judge Agresti's Chambers at 814-464-9760. ***All Attorneys and Parties may only appear by Zoom*** and must comply with Judge Agresti's ***Updated Notice of Temporary Modification of Appearance Procedures***, dated and effective November 22, 2021, which can be found on the Court's website at <https://www.pawb.uscourts.gov/sites/default/files/pdfs/tpa-proc-appearances.pdf>.

(5) Movant shall immediately serve a copy of this *Order* on the Respondent, and if known, Counsel for the Respondent, and file certificate of service within five (5) days.



Thomas P. Agresti, Judge
United States Bankruptcy Court

Case Administrator to serve:

Debtor(s)
Jennie Shnayder, Esq. Counsel for FCI Lending Services, Inc.
Dwaldmanlaw, P.C.
4900 Carlisle Pike, #182
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